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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO. CR 04-20070 JW
)	
Plaintiff,)	
)	
v.)	
)	
JOSE MARTINEZ-GONZALEZ,)	
)	
Defendant.)	

UNITED STATES OF AMERICA,)	NO. CR 08-00058 JW
)	
Plaintiff,)	
)	
v.)	
)	
JOSE MARTINEZ-GONZALEZ,)	<u>NOTICE OF RELATED CASES</u>
)	<u>IN A CRIMINAL ACTION</u>
Defendant.)	

The United States hereby files this notice of related cases pursuant to Criminal Local Rule 8-1, as it believes that the cases above-captioned are related within the meaning of the rule. The first captioned case, charging defendant JOSE MARTINEZ-GONZALEZ(CR-04-20070), contains an allegation of a supervised release violation following a sentence imposed by the Honorable James Ware on October 4, 2004. The second case, charging defendant JOSE

1 MARTINEZ-GONZALEZ (CR-08-00058), was indicted on February 6, 2008 and is pending
2 before the Honorable James Ware. Each case includes defendant JOSE MARTINEZ-
3 GONZALEZ and the identical allegation of an illegal reentry. The first matter assigned a case
4 number by the clerk (U.S. v. JOSE MARTINEZ-GONZALEZ(CR-04-20070) is pending before
5 Judge Ware and therefore, the “earliest” filed matter. Thus, the rule suggests that all of the
6 cases against JOSE MARTINEZ-GONZALEZ should be assigned to one judge, presumably
7 Judge Ware.

8 For the above reasons, the government believes that assignment of the above-captioned cases
9 to a single District Judge, Judge Ware, will conserve judicial resources and promote an efficient
10 determination of the action.

11 DATED: February 11, 2008

12 Respectfully submitted,

13
14 JOSEPH P. RUSSONIELLO
15 United States Attorney

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17 /s/
18 JEFFREY B. SCHENK
19 Assistant United States Attorney
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